

Remarks

As stated above, Applicants appreciate the Examiner's thorough examination of the subject application and request reexamination and reconsideration of the subject application in view of the preceding amendments and the following remarks.

As of the office action of May 11, 2009, claims 1-5 were pending in the subject application, of which claims 1 and 3 are independent claims. With this response applicants have amended claims 1-5, and amended paragraphs 41 and 70 of the specification to correct typographical errors.

A. Objection to Drawings

The Examiner objected to the drawings because "the drawings are hand-drawn, or have hand-written remarks, and/or are blurry and hard to read." *Office Action* at p. 2. The Examiner requested corrected drawings. However, in a telephone conversation between the Examiner and Applicants' representative, on June 17, 2009, the Examiner stated that the drawings submitted in the application on Aug. 9, 2004 are acceptable for prosecution and that no corrected drawings are necessary. Accordingly, Applicants respectfully request withdrawal of the objection to the drawings.

B. Rejections under 35 U.S.C. § 101

The Examiner rejected claims 1-5 under 35 U.S.C. § 101. *Office Action* at p. 3. The Examiner characterized claims 1-5 as process claims and stated that "the claim language does not include the required tie [to a particular machine] or transformation [of underlying subject matter] and is thus directed to non-statutory subject matter." *Id.* The Examiner also stated that the term "information systems" in the claims is broad and "does not necessarily implicate either a computer system or another machine." *Id.*

In response, Applicants have amended the claims. Independent claims 1 and 3 now include a Beauregard-style preamble and also recite "displaying a user interface on a computer display . . ." The specification supports the amendments. *See e.g. Subject Application* at FIG. 1 and ¶¶ 30-31. Applicant contends that these amendments tie the claimed elements to a particular machine because they include and recite specific hardware elements. Accordingly, Applicants respectfully request withdrawal of the § 101 rejections of independent claims 1 and 3, and also claims 2 and 4-5 because they are dependent upon claims 1 and 3, respectively.

C. Rejections under 35 U.S.C. § 102

The Examiner rejected claims 1-5 under 35 U.S.C. § 102(e) over U.S. Patent Application Publication 2002/0184191 ("Marpe"). *Office Action* at p. 4. In response, the Applicants have amended claims 1 and 3, the independent claims, which now recite in part:

wherein the user interface includes a project management tab providing features to define a merger and acquisition project from a merger and acquisition template, the features including:

creating a task force and assigning team members to the task force;

generating a schedule for the task force to follow;

generating project proposals to be completed by the task force; and

publishing information about the task force, schedule, and project proposals to one or more stakeholders.

The amendment finds support in the subject application's written description and drawings. For example, FIG. 15 contains the following flowchart:

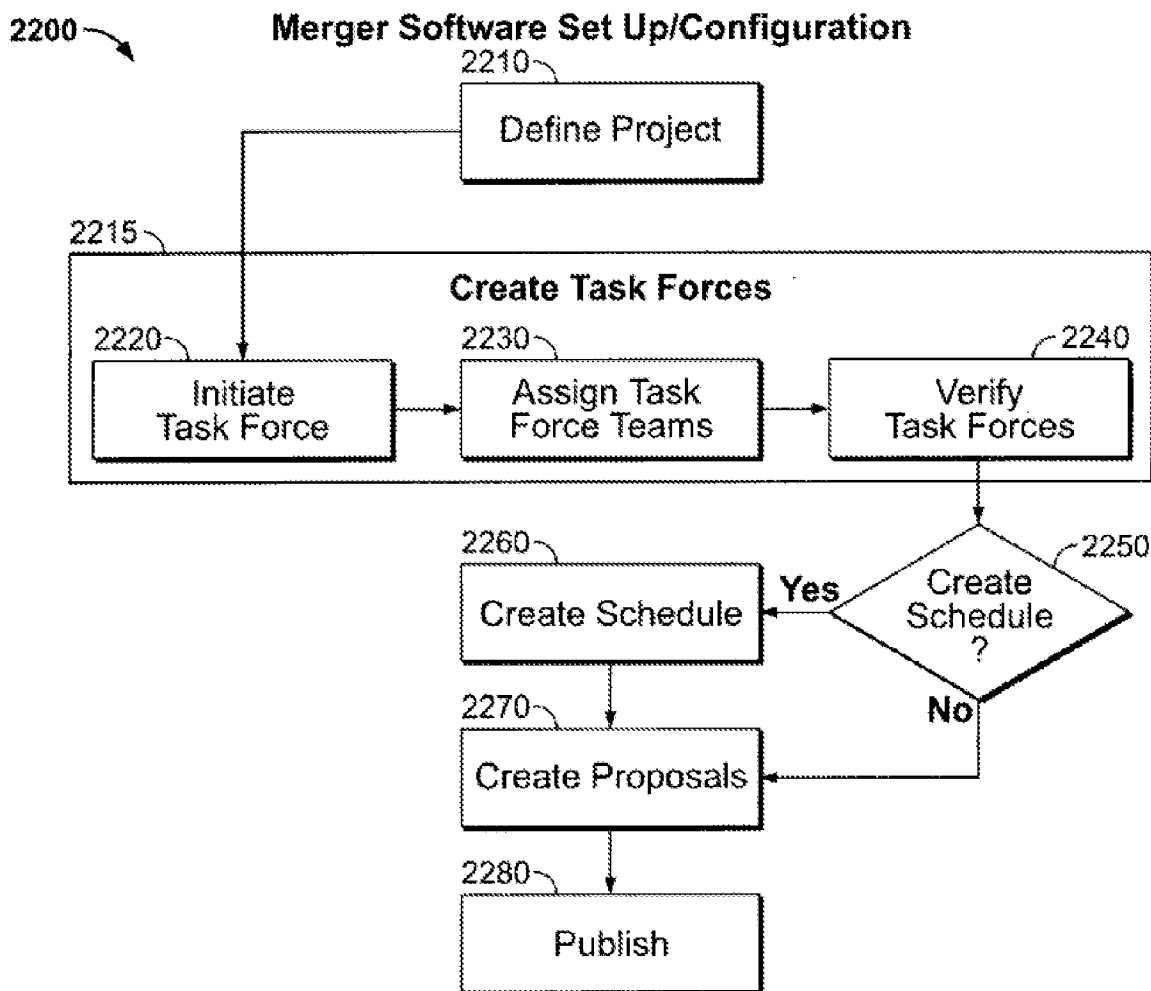


FIG. 15

Other figures, such as figures 16-23, also depict user interface elements that support the amendments. The written specification also supports the amendments. *See e.g. Subject Application* ¶¶ 94-100.

Applicants contend that the claims are patentable under § 102 over *Marpe* because *Marpe* does not appear to include each and every element of the newly amended claims. For example, *Marpe* does not appear to include a feature for "creating a task force and assigning members to

the task force," "generating a schedule for the task force," "generating project proposals to be completed by the task force," and/or "publishing information about the task force" as claimed in the amended claims. Since *Marpe* does not appear to include at least these elements of the amended claims, Applicants respectfully contend that *Marpe* does not include each and every element of the claims.

To anticipate a claim under § 102, a reference must teach each and every element of the claim. See M.P.E.P. § 2131; *Verdegaal Bros. v. Union Oil Co. of CA*, 814 F.2d 628, 631 (Fed. Cir. 1987). Since *Marpe* does not appear to teach each and every element of the newly amended claims 1 and 3, Applicants respectfully request withdrawal of the § 102 rejection of claims 1 and 3. Applicants also request withdrawal of the § 102 rejection of claims 2 and 4-5 because they are dependent upon claims 1 and 3, respectively.

D. Conclusion

In consideration of the amendments and foregoing discussion, the application is now believed to be in condition for allowance. Early allowance of the subject application is respectfully solicited. The Examiner is also invited to telephone Applicants' attorney (@ 617-305-2143) to facilitate prosecution of this application.

This response is not believed to necessitate any additional fees. However, in the event that additional fees are due, please charge or credit any refund to our Deposit Account No. 50-2324.

Respectfully Submitted,

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